

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR  
PATENT DESIGNATING THE U.S. ABANDONED UNDER 37 CFR 1.137(b)** Docket Number:  
21101.0046U2

First named inventor: Gesteland, R.F. et al.

International (PCT) Application No.: PCT/US2004/038092 U.S. Application No.  
(if known)

Filed: November 15, 2004

Title: METHODS, ARTICLES, AND COMPOSITIONS FOR IDENTIFYING  
OLIGONUCLEOTIDES

Attention: PCT LEGAL STAFF  
Mail Stop: PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee -required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- Small entity -- fee \$750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- Other than small entity fee -- \$1300.00 (37 CFR 1.17(m)).

2. Proper reply

- A. The proper reply (the missing 37 U.S.C. 371(c) requirement(s) in the form of:  
(identify type of reply)

Form PTO-1390 Transmittal Letter to the U.S. Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (2 pages); Sequence Listing Statement (1 page); Sequence Listing in Computer Readable Format (1 disk); Preliminary Amendment (34pages); Form PTO-2038 Credit Card Authorization in the Amount of \$1465.00 [\$715.00 Filing Fee and \$750.00 Petition Fee (1 page); Return Postcard (1 card)]

- has been filed previously on \_\_\_\_\_.
- is enclosed herewith.

06/22/2006 ATRAN1 00000139 10583198

06 FC:2453 750.00 0P

ATTORNEY DOCKET NO.: 21101.0046U2  
APPLICATION NO.: Unassigned

3. Terminal disclaimer with disclaimer fee

- Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

6/15/2006

Date

Robert A. Hodges, Ph.D.  
Registration No. 41,074

NEEDLE & ROSENBERG, P.C.  
Customer Number 23859  
(678) 420-9300  
(678) 420-9301 (fax)

- Enclosures:  Response  
 Fee Payment  
 Terminal Disclaimer Form  
 Other: As Listed in 2A on page 1 of this form